Case 09-18224 Doc 195 Filed 07/31/12 Entered 08/02/12 23:53:43 Desc Imaged Certificate of Notice Page 1 of 8

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

In re:	§		
	§		
EVERETT MARITIME, LLC	§	Case No. 09-18224	
	§		
Debtor(s)	§		

### NOTICE OF TRUSTEE'S FINAL REPORT AND APPLICATIONS FOR COMPENSATION AND DEADLINE TO OBJECT (NFR)

Pursuant to Fed. R. Bankr. P. 2002(a)(6) and 2002(f)(8), please take notice that Robert B. Katz, trustee of the above styled estate, has filed a Final Report and the trustee and the trustee's professionals have filed final fee applications, which are summarized in the attached Summary of Trustee's Final Report and Applications for Compensation.

The complete Final Report and all applications for compensation are available for inspection at the Office of the Clerk, at the following address:

Any person wishing to object to any fee application that has not already been approved or to the Final Report, must file a written objection within 20 days from the mailing of this notice, serve a copy of the objections upon the trustee, any party whose application is being challenged and the United States Trustee. A hearing on the fee applications and any objection to the Final Report will be held at 10:30 AM on 08/29/2012 in Courtroom 642,

Dirksen Federal Buidling 219 S. Dearborn Chicago, IL 60604

If no objections are filed, upon entry of an order on the fee applications, the trustee may pay dividends pursuant to FRBP 3009 without further order of the Court.

Date Mailed:	 Ву:

Robert B. Katz 53 West Jackson Boulevard Suite 1320 Chicago, IL 60604

### UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF ILLINOIS

In re:	§	
	§	
EVERETT MARITIME, LLC	§	Case No. 09-18224
	§	
Debtor(s)	§	

## SUMMARY OF TRUSTEE'S FINAL REPORT AND APPLICATIONS FOR COMPENSATION

The Final Report shows receipts of	\$ 50,042.03
and approved disbursements of	\$ 296.21
leaving a balance on hand of 1	\$ 49.745.82

Claims of secured creditors will be paid as follows:

#### **NONE**

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payment to Date	Proposed Payment
Trustee Fees: Robert B. Katz	\$ 5,752.10	\$ 0.00	\$ 5,752.10
Attorney for Trustee Fees: Ira P. Goldberg	\$ 23,706.50	\$ 0.00	\$ 23,706.50
Attorney for Trustee Expenses: Ira P.			
Goldberg	\$ 157.72	\$ 0.00	\$ 157.72
Accountant for Trustee Fees: LOIS WEST	\$ 3,075.50	\$ 0.00	\$ 3,075.50

Applications for prior chapter fees and administrative expenses have been filed as follows:

The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. §326(a) on account of the disbursement of the additional interest.

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Reason/Applicant	Total Re	quested	Interim Payment to Date	Proposed Payment
Other: Crane, Heyman, Simon, Welch & Clar	¢ 1	38,168.48	\$ 0.00	\$ 12,907,69
Ciai	<b>D</b> 1	38,108.48	0.00	\$ 12,807.68
Other: Scott A. Semenek	\$	45,809.00	\$ 0.00	\$ 4,246.32
Total to be paid for prior chapter ad	ministrati	ve expense	s \$	17,054.00
Remaining Balance			\$	0.00

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

#### **NONE**

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 11,189,022.73 have been allowed and will be paid <u>pro rata</u> only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

		Allowed Amount		Interim Payment to			
Claim No.	Claimant	of	of Claim		Date		ayment
000001	Greenbusch Group Inc.	\$	7,663.73	\$	0.00	\$	0.00
000002	Carmel & Carmel PC	\$	12,430.16	\$	0.00	\$	0.00
000003	Glumac	\$	11,814.00	\$	0.00	\$	0.00
000004	Cushman & Wakefield of Oregon Inc	\$	2,500.00	\$	0.00	\$	0.00
000005	Foster Pepper	\$	21,382.45	\$	0.00	\$	0.00
000006	Greenbusch Group Inc.	\$	7,663.73	\$	0.00	\$	0.00
000007	Barclay Dean	\$	4,160.04	\$	0.00	\$	0.00
000008	Methodologie	\$	152,881.71	\$	0.00	\$	0.00
000009	Hoffman Construction Co.	\$	542,440.00	\$	0.00	\$	0.00

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Claim No.	Claimant		lowed Amount Claim	Interim Payment to Date	Proposed Payment
000010	Ronald J. Thauer	\$	1,536,023.10	\$ 0.00	\$ 0.00
000011	Three Sons Asset Management, LLC	\$	578,437.45	\$ 0.00	0.00
000012	RDS Investments, L.P.	\$	602,579.34	\$ 0.00	0.00
000013	Department of the Treasury	\$	1,577.05	\$ 0.00	\$ 0.00
000014	NorthSide Community Bank	\$	6,163,750.00	\$ 0.00	\$ 0.00
000015	The Port of Everett	\$	0.00	\$ 0.00	0.00
000016	GGLO	\$	549,719.00	\$ 0.00	0.00
000017	Landau Associates	\$	72,006.76	\$ 0.00	0.00
000018	Kosnik Engineering	\$	57,901.60	\$ 0.00	\$ 0.00
000019	Carmel & Carmel PC	\$	12,430.16	\$ 0.00	\$ 0.00
000020	Don Fleming	\$	30,146.45	\$ 0.00	\$ 0.00
000021	RDS Investments, L.P.	\$	821,516.00	\$ 0.00	0.00
То	tal to be paid to timely gene	ral ur	secured creditors	s \$	0.00
Remaining Balance			\$	0.00	

Tardily filed claims of general (unsecured) creditors totaling \$0.00 have been allowed and will be paid <u>pro rata</u> only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

#### **NONE**

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid <u>pro rata</u> only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

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#### **NONE**

Prepared By: /s/Robert B. Katz

Robert B. Katz 53 West Jackson Boulevard Suite 1320 Chicago, IL 60604

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

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Certificate of Notice Page 6 of 8 United States Bankruptcy Court Northern District of Illinois

In re: Everett Maritime, LLC Debtor Case No. 09-18224-TAB Chapter 7

### **CERTIFICATE OF NOTICE**

District/off: 0752-1 User: mrahmoun Page 1 of 3 Date Rcvd: Jul 31, 2012 Form ID: pdf006 Total Noticed: 56

Notice by f Aug 02, 201	irst class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on 2.
db	+Everett Maritime, LLC, 505 East Illinois Street, Suite ONE, Chicago, IL 60611-3540
13937561	AWA Electrical Consultant, 190015 36th Avenue W., Suite E, Lynnwood, WA 98036
13937559	+Albert Meers, c/o Broadacre Mgmt. Co., 505 E. Illinois St., Suite One,
1393/339	
12025560	Chicago, IL 60611-3540
13937560	+Anderson Hunter Law Firm P.S., Attn: Bradford Cattle, 2707 Colbly Ave., Suite 1001,
	Everett, WA 98201-3566
13937563	+Broadacre Mgmt. Co., 505 E. Illinois Street, Suite One, Chicago, IL 60611-3540
13937565	+CJBS, Attn: Jacques Preis, 108 Wilmot Road, Suite 330, Deerfield, IL 60015-5118
13937564	#+Carmel & Carmel PC, Attn: Frank Carmel, 5301 Wisconsin Ave. NW, Suite 570,
	Washington, DC 20015-2061
13937566	+Clifton Gunderson LLP, Attn: David North, 301 SW Adams St., #900, POB 1835,
	Peoria, IL 61656-1835
13937567	+Company 39, Attn: Andrea Barry, 1660 Lincoln St., Suite 2400, Denver, CO 80264-2401
13937568	#+Cushman Wakefield, 1420 Fifth Ave. #2900, Seattle, WA 98101-3945
13937571	+DLA Piper US LLP, Attn: Dennis Wilson, 203 N. LaSalle St., Suite 1800,
	Chicago, IL 60601-1264
13937569	+David Evans & Associates, 1620 W. Marine View Dr., Ste. 200, Everett, WA 98201-2099
13937570	+Deborah McDowell, c/o Broadacre Mgmt. Co., 505 E. Illinois St., Suite One,
	Chicago, IL 60611-3540
13937572	+Don Fleming, 1729 Center St., Walla Walla, WA 99362-4216
13937573	+Fidel L. Lopez, c/o Broadacre Mgmt. Co., 505 E. Illinois St., Suite One,
13737373	Chicago, IL 60611-3540
12027574	
13937574	+Fikso Kretschmer Smith, Attn: Matthew Smith, 2025 First Ave., Ste. 1130,
	Seattle, WA 98121-2100
13937575	+Flat Iron Capital, 950 17th Street, Denver, CO 80202-2815
13937576	+Foster Pepper, Attn: Gary Ackerman, 1111 Third Ave., Suite 3400, Seattle, WA 98101-3299
13937577	+Francis Freeman, 1427 W. Henderson St., Chicago, IL 60657-2103
13937578	+GGLO, Attn: Alan Grainger, 1301 First Ave., Suite 301, Seattle, WA 98101-2171
13937579	+Glumac, 1325 Fourth Ave., Suite 1515, Seattle, WA 98101-2540
13937580	+Greenbusch Group Inc., 1900 West Nickerson St., Suite 201, Seattle, WA 98119-1650
	+Hendricks and Lewis, 999 Third Ave., Suite 2675, Seattle, WA 98104-4048
13937581	
13937582	Hoffman Construction Co., Attn: Thomas Peterson, 1505 Westlake Ave., North, Suite 500,
	Seattle, WA 98109-6226
13937583	+Kosnick Engineering, Attn: Dan Kosnick, 16300 Mill Creek Blvd., Suite G-2,
	Mill Creek, WA 98012-1279
14589467	+Kosnik Engineering, Attn: Daniel Kosnik, 10511 19th Ave SE Ste C,
	Everett, Washington 98208-4279
13937584	+Landau Associates, Attn: Larry Beard, 130 2nd Ave. South, Edmonds, WA 98020-3512
13937585	+Maritime Trust, Inc., c/o Broadacre MGMT. Co., 505 E. Illinois St., Suite one,
1070700	Chicago, IL 60611-3540
13937586	+McCullough Hill PS, Attn: Jack McCullough, 701 Fifth Ave., Suite 7220,
1393/300	
12025505	Seattle, WA 98104-7042
13937587	+Melissa J. Copley, 1427 W. Henderson St., Chicago, IL 60657-2103
13937588	+Methodologie, Attn: Janet DeDonato, 720 Third Ave., Ste. 800, Seattle, WA 98104-1870
13937589	+Mithun, Pier 56, 1201 Alaskan Way, Seattle, WA 98101-2913
13937590	+Morrison Hershfield, 10900 NE 8th St., Suite 810, Bellevue, WA 98004-4454
14585410	+NorthSide Community Bank, c/o Lauren Nachinson, Esq., Quarles & Brady LLP,
	300 N. LaSalle Street, Suite 4000, Chicago, IL 60654-5427
13937591	+Northside Community Bank, Attn: James Sefton, 5103 Washington St., Gurnee, IL 60031-5912
13937592	Anismatic Community Banks, Active Cambridge State 1 and 1 anismatic State 1 and 1 anismatic State 1 an
	+Olympic Reprographics, 2730 Occidental Ave. South, Seattle, WA 98134-1836 +OnShore Networks, LLC, Attn: Setl Valavanis, 1407 West Chicago Ave., Chicago, IL 60642-5231
13937593	+OnShore Networks, LLC, Attn. Sett Valavanis, 1407 West Chicago Ave., Chicago, LL 60642-5231
14074471	+PORT OF EVERETT, 2911 BOND ST STE 202, EVERETT WA 98201-3943
13937594	Parson Brinckerfhoff Inc., PB Americas Inc., PO Box 51615, Los Angeles, CA 90051-5915
14024716	Patrick F Hussey, Counsel for The Port of Everett, Anderson Hunter Law Firm PS,
	2707 Colby Ave P O Box 5397, Everett, WA 98206-5397
14570362	+RDS Investments, L.P., 150 Field Drive, Suite 100, Lake Forest, IL 60045-2583,
	Attn: Alexander D. Stuart
13937595	+RDS Investments, LP, c/o Mr. Alexander Stuart, 150 North Field Drive, Suite 100,
±3731393	Lake Forest, IL 60045-2583
12027507	
13937597	+RMC Architects, Attn: Jeff McClure, 1223 Railroad Ave., Bellingham, WA 98225-5035
13937596	+Real Retail, RST LLC, Attn: Jennifer Seversen, 1725 Westlake, Ste. 210,
	Seattle, WA 98109-6213
13937598	+Robert Meers, c/o Broadacre Mgmt. Co., 505 E. Illinois St., Suite One,
	Chicago, IL 60611-3540
14569281	+Ronald J. Thauer, 380 King Muir Road, Lake Forest, IL 60045-2066
13937599	+Ronald J. Thauer, 440 S. LaSalle Street, 20th Floor, Chicago, IL 60605-5011
13937600	+Shawqate Market MFB, LLC, c/o Broadacre Mgmt. Co., 505 E. Illinois St., Suite One,
1373,000	Chicago, IL 60611-3540
12027601	
13937601	The CWD Group, Inc., Attn: Marshall Johnson, 2500 W. Commodore Way, Ste. 2,
1202552	Seattle, WA 98199
13937602	+The Port of Everett, Attn: Executive Director, PO Box 538, Everett, WA 98206-0538
14585826	+The Port of Everett, c/o John Mohr, Executive Director, P.O. Box 538, 2911 Bond Street,
	Everett, Washington 98201-3943

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District/o	ff: 0752-1	User: mrahmoun Form ID: pdf006	9	Date Rcvd: Jul 31, 2012
13937603	+Three Sons Asse Chicago, IL 60		c/o Mr. Ronald Thauer, 440 S	. LaSalle St., 20th Floor,
14569460	J .	et Management, LLC, 3	380 King Muir Road, Lake For	rest, IL 60045-2066,
13937604	+Williams Market Seattle, WA 98		slie Williams, 111 Queen Ann	e Ave. N., Suite 510,
13937605	•		3822 Paysphere Circle, Chic	ago, IL 60674-0038
Notice by 14573578	+E-mail/Text: ci	lo.bncmail@irs.gov Aug	Following persons/entities by 01 2012 01:31:16 Departme 7346, Philadelphia, PA 1910	1-7346
				TOTAL: 1
16917516* 13937562	Don Fleming,	CIPIENTS (undeliverable 1729 Center Street, PO Box 3827, Belley	Walla Walla, WA 99362-4216	
14311338	##+Cushman & Wakef		Cushman & Wakefield of Texas	Inc, Attn Clara Edwards,
				TOTALS: 0, * 1, ## 2

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Signature:

Date: Aug 02, 2012

Joseph Spertjens

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District/off: 0752-1 Date Rcvd: Jul 31, 2012 User: mrahmoun Page 3 of 3 Total Noticed: 56 Form ID: pdf006

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 30, 2012 at the address(es) listed below:

Arthur G Simon on behalf of Debtor Everett Maritime, LLC asimon@craneheyman.com, gbalderas@craneheyman.com;sclar@craneheyman.com

Craig E. Reimer on behalf of Creditor RDS Investments, LP creimer@mayerbrown.com David K Welch on behalf of Debtor Everett Maritime, LLC dwelch@craneheyman.com, gbalderas@craneheyman.com;jdan@craneheyman.com

James E. Morgan on behalf of Defendant The Port of Everett jmorgan@enterpriselg.com, somh777@yahoo.com

Jeffrey C Dan on behalf of Debtor Everett Maritime, LLC jdan@craneheyman.com, gbalderas@craneheyman.com;dwelch@craneheyman.com

Lauren N. Nachinson on behalf of Creditor Northside Community Bank

Lauren.Nachinson@quarles.com,

Faye.Feinstein@quarles.com;sara.sullivan@quarles.com;mburr@quarles.com

Matthew E. McClintock on behalf of Creditor The Port of Everett mattm@restructuringshop.com, laurent@restructuringshop.com;amritk@restructuringshop.com;teresag@restructuringshop.com;harleyg@  ${\tt restructuringshop.com}$ 

Patrick F Hussey on behalf of Creditor The Port of Everett phussey@andersonhunterlaw.com, bpagnac@andersonhunterlaw.com

Patrick S Layng USTPRegion11.ES.ECF@usdoj.gov

Robert B Katz rkatztrustee@gmail.com, rkatz@ecf.epiqsystems.com
Scott A Semenek on behalf of Creditor Committee Official Committee of Unsecured Creditors of
Everett Maritime LLC scott.semenek@faegrebd.com, melanie.senesac@faegrebd.com

Thomas J Magill on behalf of Creditor Northside Community Bank tom.magill@quarles.com,

laura.belmonte@quarles.com

TOTAL: 13